

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Rudy Stanko,

Petitioner,

v.

Civil No. 08-856 (JNE/JJG)
ORDER

Warden M. Cruz et al.,

Respondents.

The undersigned, an Article III judge, has reviewed the Report and Recommendation dated October 3, 2008, Petitioner's objection to it, and Respondents' response. In the Report and Recommendation, the Honorable Jeanne J. Graham, United States Magistrate Judge, recommended that Petitioner's petition for a writ of habeas corpus be denied and that this litigation be dismissed in its entirety. Having conducted a de novo review of the record, *see* D. Minn. LR 72.2(b), the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Petitioner's petition for a writ of habeas corpus [Docket No. 1] is DENIED.
2. Petitioner's motion for papers [Docket No. 5] is DENIED.
3. Petitioner's request to have the matter reviewed by an Article III judge [Docket No. 18] is DENIED AS MOOT.
4. This case is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 6, 2008

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge